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LETTER DATED 22 SEPTEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to lodge the strongest protest over the signing of the illegal Agreement between the United Nations security and civil presences in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, and the so-called Kosovo Liberation Army (KLA) on the transformation of that terrorist organization into the "Kosovo Protection Corps", an allegedly civilian structure, and the statements made in that connection by the international security force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) to the effect that the KLA terrorists have carried out their obligation to demilitarize and disarm fully and on schedule. The falsehood of those statements is shown by daily attacks on Serbian towns and villages and cultural monuments and religious shrines which are often carried out by mortars and other heavy weapons.

The Agreement amounts to the legalization of the terrorist organization under the auspices of the United Nations and, alongside other illegal decisions of KFOR and UNMIK taken under the guise of the United Nations and in flagrant violation of the clear provisions of Security Council resolution 1244 (1999) and the Military-Technical Agreement and to the detriment of the authority of the world Organization, shall not be recognized by the Government of the Federal Republic of Yugoslavia and shall be considered null and void. The Government of the Federal Republic of Yugoslavia shall continue to hold the United Nations presences responsible for the tragic consequences of their behaviour, the victims of which are Serbs, Montenegrins, Roma and other non-Albanians.

Time and again, the Government of the Federal Republic of Yugoslavia has warned the Security Council and the Secretary-General of KFOR and UNMIK manipulations, committed in gross violation of their mandates established by Council resolution 1244 (1999). The obligation to demilitarize has been flouted on a number of occasions, most notably by the agreement on the so-called three-month public disarmament, considering that the resolution provides for no delay in implementing its provisions. The Government of the Federal Republic of Yugoslavia expressed its dissatisfaction with the manner in which and the pace at which KFOR and UNMIK proceeded to implement the provision on the demilitarization and disarmament of KLA terrorists, since demilitarization is

the final outcome of a process affecting an organization and not its transformation. The establishment of the "Kosovo Protection Corps", headed by notorious terrorist Agim Cheku, amounts in effect to the strengthening, if not the resuscitation, of the moribund KLA, beaten in the anti-terrorist campaign of the Yugoslav security forces. Countenance of KLA by KFOR and UNMIK is telling evidence of the existence of an ulterior purpose.

Encouraged by the attitude of KFOR and UNMIK, the KLA terrorists made no effort to conceal their aims. Owing to the support of some leading international actors, their leaders publicly demonstrate their intention to abuse the United Nations presences in the southern Serbian province and the United Nations protection to accomplish their separatist goals.

The flagrant violations of Security Council resolution 1244 (1999) and the Military-Technical Agreement have done little to make KFOR and UNMIK change their attitude, even though it is their bounden duty to ensure a strict implementation of the said documents. By failing to act, KFOR and UNMIK have become accomplices in a charade, designed to hoodwink the international public and to divert the attention of the Council from goals, different than those envisaged in the resolution, that are pursued in Kosovo and Metohija in behalf and under the auspices of the United Nations. For the worrisome developments that ensue from such an attitude they bear full responsibility.

By setting very liberal deadlines for KLA terrorists with respect to carrying out their express obligation to demilitarize and disarm, as against the very short deadline within which the legal security forces of the Federal Republic of Yugoslavia carried out much more complex operations, KFOR and UNMIK have indicated that they will not act with sufficient resolve to compel the KLA terrorists to carry out their obligation strictly and in full. Those deadlines have been allowed to lapse, while the KLA handed in trophy arms and rearmed itself with modern sophisticated weapons over the uncontrolled borders of the Federal Republic of Yugoslavia, with Albania and Macedonia unperturbed.

By acting in this way, KFOR and UNMIK have given ample evidence of the deliberate protection of KLA terrorists, aimed at preserving the core of a future Albanian armed structure in the southern Serbian province. According to Security Council resolution 1244 (1999), the only armed force in Kosovo and Metohija is KFOR. The resolution also provides for the return of part of the Army and police forces of the Federal Republic of Yugoslavia and not a creation of a "Kosovo Protection Corps" which in effect amounts to catering to the whim of Albanian separatists and terrorists and to their ambition to have Kosovo and Metohija secede from Serbia and the Federal Republic of Yugoslavia. Instead of being a factor of stabilization in the Province, KFOR and UNMIK have thus become instrumental in cleansing it of non-Albanians and outright accomplices in the realization of KLA separatist goals.

Proceeding from the fact that it has carried out all its obligations arising from Security Council resolution 1244 (1999) and the relevant documents consistently and on schedule, the Government of the Federal Republic of Yugoslavia demands that the Council take the most energetic measures to see to it that all others carry out their commitments. First and foremost, the KLA

terrorists must be made to disarm themselves and must not be allowed to flout their obligations in whatever form.

To that end, the Government of the Federal Republic of Yugoslavia insists, in particular, that the illegal decision on the alleged transformation of the so-called Kosovo Liberation Army and all other decisions taken by KFOR and UNMIK in flagrant violation of Security Council resolution 1244 (1999) and the relevant documents, primarily those violating the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, be annulled.

This is the only way that leads to the stabilization of the security situation in this Serbian province, the return of all expellees and the creation of the necessary conditions for the preservation of its multinational character and inter-ethnic reconciliation as the main preconditions for each and every future political solution.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.